REMARKS

Claims 1-24 were originally filed in the present application.

Claims 1-24 are pending in the present application, and were each rejected.

The Abstract is amended above, and the objection to the abstract is believed to be obviated.

Claims Rejections: 35 USC § 102

Claims 1-24 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Chheda, et al.* (U.S. Patent No. 6,996,056 B2, hereinafter referred to as Chheda).

A prior art reference anticipates a claimed invention under 35 U.S.C. § 102 only if every element of the claimed invention is identically shown in that single reference, arranged as they are in the claims. (*MPEP § 2131; In re Bond, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990)*). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. (*MPEP § 2131; In re Donohue, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985)*).

Claim 1 requires "a database capable of storing R active wireless terminal records, each of said R active wireless terminal records containing: 1) an active orthogonal code and 2) corresponding downlink beamforming coefficients used to communicate with one of said wireless access terminals." Claim 11 requires "a database capable of storing R active wireless terminal records, each of said R active wireless terminal records containing: 1) an active orthogonal code and 2) corresponding downlink beamforming coefficients used to communicate with one of said wireless

access terminals". Claim 21 requires "storing R active wireless terminal records, each of the R

active wireless terminal records containing: 1) an active orthogonal code; and 2) corresponding

downlink beamforming coefficients used to communicate with one of the wireless access terminals".

These limitations are not taught or suggested by Chheda.

Chheda does not teach or suggest a database of active wireless terminal records, where each

record had an active orthogonal code and corresponding downlink beamforming coefficients. In fact,

Chheda does not mention beamforming coefficients at all, much less specific sets of coefficients

each corresponding to an active orthogonal code and stored as claimed.

Claim 1 further requires "comparing said each of said R active wireless terminal records to

new downlink beamforming coefficients suitable for forming a downlink transmit beam for

transmitting to said new wireless access terminal and, in response to said comparison, determines at

least one active wireless terminal record containing corresponding downlink beamforming

coefficients that have the least correlation with said new downlink beamforming coefficients":.

Claim 11 further requires "comparing said each of said R active wireless terminal records to new

downlink beamforming coefficients suitable for forming a downlink transmit beam for transmitting

to said new wireless access terminal and, in response to said comparison, determines at least one

active wireless terminal record containing corresponding downlink beamforming coefficients that

have the least correlation with said new downlink beamforming coefficients". Claim 21 further

requires "comparing each of the R active wireless terminal records to new downlink beamforming

coefficients suitable for forming a downlink transmit beam for transmitting to the new wireless

access terminal; and in response to the comparison, determining at least one active wireless terminal record containing corresponding downlink beamforming coefficients that have the least correlation with the new downlink beamforming coefficients". These limitations are similarly not taught or suggested by Chheda.

As Chheda does not at all teach or suggest the beamforming coefficients as claimed, it certainly does not teach the claimed comparison and determinations related to the beamforming coefficients.

As all independent claims include limitations not taught or suggested by the art of record, all dependent claims similarly distinguish over the art of record, and all rejections are traversed.

Reconsideration and allowance of the claims is respectfully requested.

SUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of the pending claims and that this application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@munckbutrus.com*.
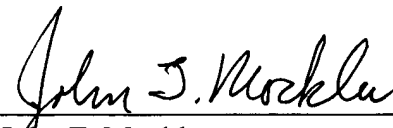
The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS P.C.

Date: 2 0 June 2006

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